

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-865

December 15, 1998

MAINE PUBLIC SERVICE COMPANY
Annual Increase Under Rate
Stabilization Plan

ORDER GRANTING MOTION TO
EXTEND RSP DEADLINE FOR
ANNUAL INCREASE

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

In this Order we grant Maine Public Service Company's Motion to permit its annual price change to take effect on April 1, 1999 rather than February 1, 1999. We also, at this time, modify our Order in Docket No. 95-052 and extend the term of the Company's Rate Stability Plan by one additional month.

On November 13, 1998, Maine Public Service Company (MPS or the Company) submitted its annual price change filing pursuant to the Company's Rate Stability Plan ("RSP") approved by the Commission in *Maine Public Service Company, Proposed Increase in Rates*, Docket No. 95-052, Order Approving Stipulation (Rate Case/Rate Plan) (Me. PUC, November 30, 1995). As part of its November 13th rate plan submission, the Company filed a motion to amend the Commission's original order in Docket No. 95-052 to permit this year's Rate Stability Plan increase to become effective on April 1, 1999 rather than on February 1, 1999. The extension will allow the Commission to decide the Company's proposed generation asset sale case, Docket No. 98-584, prior to the implementation of this year's annual Rate Stabilization Plan rate change. According to the Company, a favorable decision in the asset sale case would allow the Company to delay at least part of this year's authorized rate increase.

The Company's extension request is made subject to the condition that the Company be permitted to collect in rates the full amount to which it would have been entitled had the rate increase been effective February 1, 1999 if the proposed sale of its generation assets is not approved in Docket No. 98-584. The Company also requests in its motion that the term of the Rate Stability Plan be extended by one additional month, or until February 29, 2000, to coincide with the scheduled start of retail competition for generation services in Maine. The Company's motion is unopposed by the Public Advocate, the only other party in this matter.

We find that the Company's requests are consistent with the interests of the Company's ratepayers and also provide certain administrative benefits. The Company's motion is, therefore, granted. Our approval in no way constitutes an approval of the rate increase claimed due by the Company or a determination of the amount of the increase to go in effect on April 1, 1999. These matters will be addressed in our final order in this docket, which will now be issued in March, 1999.

Accordingly, we

O R D E R

1. That the effective date of the annual rate change under the Company's Rate Stabilization Plan, approved by the Commission in Docket No. 95-052, is extended from February 1, 1999 to April 1, 1999.

2. The expiration date of the Company's Rate Stabilization Plan is extended by one month from January 30, 2000 to February 29, 2000.

Dated at Augusta, Maine this 15th day of December, 1998.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Nugent
 Diamond

COMMISSIONER ABSENT: Welch

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.